

Application No. 10/616,510  
Reply to Office Action of April 1, 2005

**REMARKS/ARGUMENTS:**

Applicants wish to thank Primary Examiner Chen for the courtesy shown counsel for Applicants during a telephonic interview on July 6, 2005, and hereby make of record the substance of the interview.

During the interview, the indication in the last Office Action that claims 43-51 are allowable was noted with appreciation. Additionally, the Examiner indicated that the rejection of the claims under Section 112 would be withdrawn thus rendering claim 8 allowable as well.

**CLAIM REJECTION UNDER 35 U.S.C. § 102(b)**

Claims 1, 2, 3, 6, 12, 13, 14, 15, 22 and 24 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,687,092 to Manning (hereinafter “Manning”).

It was pointed out during the interview in connection with claim 24, in particular, that unlike the table of Manning, Applicants’ floating table includes a base member having an upper surface and lower surface with an enclosed space therebetween, with the enclosed space being substantially hollow over at least a majority of the base member. The enclosed space of Applicants’ table provides the added buoyancy to provide stability in water, which is important when the table is being used to play a game with various game pieces, for example that must remain in one place.

As shown in FIGS. 3 and 4 of the Manning patent, the Manning table top 11 is solid. Thus, if one were to attempt to use the Manning table in water as a game table (although no such disclosure or suggestion of such use is provided in the Manning patent), the Manning table would be extremely unstable. Thus, air pockets would form in the open leg sockets 20 when the legs 25 have been removed, and as the table began to list or tilt to one side, water would start to displace the air in the sockets. Eventually, the solid table of the Manning patent would list toward the socket(s) that is most filled with water, becoming unstable because it is not as buoyant as Applicants’ hollow table design, and thus, less stable as compared with Applicants’ hollow table.

During the interview, the Examiner suggested that claim 24 be amended to include a side or lateral wall connecting the upper and lower surface to better define the enclosed space. Accordingly, claim 24 has been amended to recite that the upper surface and lower

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surface of the base member are spaced apart and connected by a lateral wall to substantially surround and thereby define a substantially enclosed space that is substantially hollow over at least a majority of the base member. Manning discloses no such enclosed space defined by an upper surface and a lower surface that are spaced apart and connected by a lateral wall so as to surround and define a substantially enclosed space since Manning's table top 11 is solid. Support for the amendment to claims 1 and 24 is found in the drawings, including Figure 7.

Since rejected claims 1 and 24 have been amended in accordance with the Examiner's suggestion, it is believed that such claims and the claims dependent therefrom are now allowable. Accordingly, the rejection of claims 1, 2, 3, 6, 12, 13, 14, 15, 22 and 24 as anticipated by Manning may now be withdrawn.

#### **CLAIM REJECTION UNDER 35 U.S.C. § 103**

Claims 10, 11, 18, 19, 20, 23, 52 and 53 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the Manning patent. Claim 10 has been canceled as being redundant with claim 1. Claim 4, 5, 16 and 17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the Manning patent in view of U.S. Patent No. 4,011,821 to Neal (the Neal patent). Claims 7, 9 and 21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the Manning patent in view of U.S. Patent No. 6,595,143 to London (the London patent).

As indicated previously, rejected independent claims 1 and 24 have been amended as suggested by the Examiner. In addition, rejected method claim 52 has been similarly amended. Accordingly, it is believed that all of the aforesaid claims rejected as being obvious over Manning, alone, or in view of either the Neal patent or the London patent are now allowable for the reasons given previously herein. Since Manning does not disclose a table having a base member having an upper surface and a lower surface that are spaced apart and connected by a lateral wall so as to substantially surround and define a substantially enclosed space therebetween with the enclosed space being substantially hollow over at least a majority of the base member, Manning cannot render the table defined by the newly-amended claims obvious. Since Manning is defective, it cannot be combined with either Neal or London to render Applicant's claimed table obvious.

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Accordingly, the rejection of claims 4, 5, 7, 9, 11, 16-21, 23, 52 and 53 over Manning, alone, or in view of either Neal or London may now be withdrawn.

It is requested that the Examiner acknowledge consideration of the patents listed in the Supplemental Information Disclosure Statement dated March 15, 2005.

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In view of the foregoing comments, Applicants respectfully submit that all of the claims in the application are allowable. Prompt and favorable action is earnestly solicited.

Respectfully Submitted,



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